

1. **ROLL CALL**

The Planning Commission meeting was called to order at 5:00 PM with the following members present: Harley Macklin (3/3), Janet Hamilton (3/3), Todd Carr (3/3), Tom Hornbeck (3/3), Darryl Peterson (3/3), Ken Peirce (2/3), Robert Obermite (2/3), and Terry Bisbee (2/3). Mark Woleslagel (2/3) was absent. Staff present were Jana McCarron, Director of Planning and Development; Casey Jones, Senior Planner; Amy Allison, Housing Program Coordinator; Aaron Barlow, Associate Planner and Charlene Mosier, Planning Technician.

2. **APPROVAL OF MINUTES**

The minutes of the February 7, 2017, meeting were approved on a motion by Hamilton, seconded Peterson, passed unanimously.

3. **CORRESPONDENCE & STAFF REPORTS**

The documents and staff reports were accepted into the official record with a correction to the agenda to change the date to March 7, 2017, on a motion by Carr, seconded by Peirce, passed unanimously.

4. **NEW BUSINESS**

a. **SV17-000001: Request for Mattison Addition Subdivision Variance for Floodplain – 4601 Foothill Dr**

The applicant was not present and a motion was made by Hamilton, seconded by Hornbeck to table the case. The motion passed unanimously.

The applicant arrived and a motion was made by Carr, seconded by Macklin to untable the case. The motion passed unanimously.

Bisbee asked if there were any outside contacts or conflicts of interest; there were none.

Jana McCarron, Director of Planning and Development, presented the staff report for the case. The request is a variance from the requirements of Sec. 9-618.D.1, Easement for Watercourse Protection Area, of the *Hutchinson Subdivision Regulations*, to exempt Lot 1, Block A, Mattison Addition subdivision from placement in a watercourse protection area easement.

The lot is located within the Special Flood Hazard Area, Zone AE, along with a large portion of Foothill Estates Subdivision. The property is developed and new construction will need to meet the City's floodplain regulations, which includes issuance of a floodplain development permit. The owner is replatting the property to remove the platted setback so he can build a detached garage on the lot. Requiring a watercourse protection easement on the property would render

the property unusable. McCarron reviewed the factors and showed photos of the property. Staff is recommending approval of the request.

Bisbee asked for the applicant presentation.

Brett Mattison, owner, said he wants to construct a garage but did not want to place it behind the house. He is requesting the variance from the watercourse protection area easement requirement and is replatting the property in order to build a garage. Dan Garber, surveyor, owns the adjacent property to the west and is in agreement with the request.

There were no comments from the audience.

Bisbee asked for a motion on the variance.

Motion by Carr, seconded by Macklin, to recommend approval of the Variance from Floodplain easement requirements passed with the following vote: Yes – Macklin, Hamilton, Carr, Peirce, Hornbeck, Obermite, Peterson, Bisbee.

b. **SDP17-000003: Request for approval of the Mattison Addition Preliminary Plat – 4601 Foothill Dr**

The applicant was not present and a motion by Hornbeck, seconded by Macklin was made to table the case. The motion passed unanimously.

When the applicant arrived, a motion was made by Carr, seconded by Macklin to untable the case. The motion passed unanimously.

Bisbee asked if there were any outside contacts or conflicts of interest; there were none.

Aaron Barlow, Associate Planner, presented the staff report for the case. This is a replat of a portion of Foothill Estates Subdivision, Lot 9, Block B. The Replat will remove a 30-foot setback line so the owner, Brett Mattison, can construct a garage in the area located south of the existing house. The Preliminary Plat meets all the requirements of the subdivision regulations. Barlow showed photos and the proposed plat for the property.

Bisbee asked if there were any comments from the audience; there were none.

Bisbee asked for a motion on the preliminary plat.

Motion by Peirce, seconded by Macklin to recommend approval of the Preliminary Plat SDP17-000003 for Mattison Addition located at 4601 Foothill Dr, based upon a finding that the plat is compliant with the Hutchinson Subdivision Regulations. The motion passed with the following vote: Yes – Macklin, Hamilton, Carr, Peirce, Hornbeck, Obermite, Peterson, Bisbee.

c. SDF17-000004: Request for approval of the Mattison Addition Final Plat – 4601 Foothill Dr

Bisbee asked if there were any outside contacts or conflicts of interest; there were none.

Barlow presented the staff report for the case. Photos of the property and Final Plat were shown. He said the plat is compliant with the Hutchinson Subdivision Regulations with the following staff-recommended conditions of approval:

1. A signed and notarized mylar shall be provided to the City a minimum of 7 days prior to the desired City Council meeting for consideration of the Final Plat.
2. Proof of Paid Taxes and Special Assessments. A signed certification of paid taxes from the Reno County Treasurer shall be provided a minimum of 7 days prior to the desired City Council meeting for consideration of the Final Plat.
3. A check in the amount of \$29.00 made payable to the Reno County Register of Deeds shall be provided within 7 days prior to the desired City Council meeting for consideration of the Final Plat.

Bisbee asked the applicant for his presentation.

Mattison said the new, two-vehicle garage would be on the south side of the house and set about 25 feet back from the south lot line.

There were no comments from the audience.

Bisbee asked for a motion on the Final Plat for Mattison Addition.

Motion by Macklin, seconded by Obermite to recommend to the City Council approval of Final Plat SDF17-000004 for Mattison Addition, based upon a finding that the requirements for subdivision contained in the City of Hutchinson Subdivision Regulations are met and including the following staff-recommended conditions:

- 1. A signed and notarized mylar shall be provided to the City a minimum of 7 days prior to the desired City Council meeting for consideration of the Final Plat.**
- 2. Proof of Paid Taxes and Special Assessments. A signed certification of paid taxes from the Reno County Treasurer shall be provided a minimum of 7 days prior to the desired City Council meeting for consideration of the Final Plat.**
- 3. A check in the amount of \$29.00 made payable to the Reno County Register of Deeds shall be provided within 7 days prior to the desired City Council meeting for consideration of the Final Plat.**

The motion passed with the following vote: Yes – Macklin, Hamilton, Carr, Peirce, Hornbeck, Obermite, Peterson, Bisbee.

This case will go to the City Council March 21, 2017 if all conditions are met.

d. **SV17-000002: Request for Commerce Gardens Variance from Street Standards for Subdivisions**
Request for Commerce Gardens Variance from Street Tree Standards

Bisbee asked if there were any outside contacts or conflicts of interest; there were none.

Jana McCarron, Director of Planning and Development, presented the staff report for the case. Matt Catanese, Investment Resources Corp., is the applicant. The City of Hutchinson is listed as the property owner because of the bonds for the project. The request is for two variances.

The first variance request involves classification of Lyman Avenue as a private street. The former plat contained Lyman Avenue as a platted street. With the reconstruction of the project, the new buildings are now in the vacated street. The project required demolishing buildings and moving residents. To accommodate the applicant, reconstruction was completed first and now the property is being replatted. Photos and maps of the property were shown. The apartment buildings were addressed from Lyman Avenue; however, when a street is vacated, the Building Official cannot assign addresses from a private driveway. The request is to allow the driveway to be considered a private street and called Lyman Avenue so that the property can keep its current address. Granting the variance would result in a substandard street. Staff is not recommending approval because factors are not met for granting a variance from street standards. The sidewalk, crowning, thickness and width of Lyman Avenue do not meet the requirements of the subdivision regulations. To approve the request, the plat will need to be revised. The request meets the requirements for fire and emergency services but they are not in favor of classifying the access drive as a private road, as the 911 system may not recognize a private drive.

The second variance is for subdivision street trees. McCarron said the subdivision regulations require street trees to be planted along local and collector streets, such as Keast Street. The property is not unique other than the timing of the development because the site plan and building permit for the development were approved prior to the adoption of the current regulations. Eleven trees are required and there are five trees along Keast. McCarron reviewed the conditions. Staff is recommending approval of this variance.

Bisbee asked the applicant for his presentation.

Matt Catanese, Investment Resources, said all but two of the buildings have been demolished and rebuilt. He said 1801 Lyman has been the address for this property for 46 years. It was previously a diagonal street and now is an L-shaped driveway through the development. Mr. Catanese said it would be very difficult to re-address the clubhouse and six structures totaling 72 apartments and explain the change to HUD after a four-year process to complete this development. He said it would be confusing to change all the addresses to 1000 Keast and a hardship to re-address all the units. Utility companies would also need to be notified. Mr. Catanese said he was told the address will go into the 911 system and Google and the Post Office also recognize the Lyman address. He was not aware the driveway did not meet requirements for a street because at the time this project began, the regulations were different. It is the same

situation with the required number of trees because the new regulations were not in place at that time.

McCarron said the Inspections Department addresses buildings and not the Planning Department. Previous regulations did not require private streets to meet public street standards. Regulations are different now and streets must have standards even if private. It is not feasible to reconstruct the driveway associated with this project as a street at this point. The City Engineer is in agreement with using the driveway as it is.

Macklin asked if the private street will have a sign. McCarron said private streets may have street signs with a different color so it will be easy to determine if a street is public or private and if it is maintained by the city or the property owner. The private street signs may be white with green lettering rather than green with white lettering. The City has not begun this practice, but this is a recommendation that Planning and Engineering made to Public Works in order to reduce the number of complaints to the City about private drives.

Bisbee asked if there were any comments from the audience; there were none.

Bisbee asked for a motion on the Variance from Street Standards.

Motion by Carr, seconded by Obermite to approve the Variance from Street Standards because it would be a hardship to tenants and the applicant to change the addresses and Lyman Avenue was previously a City Street. The applicant was told by City Staff that they could continue to use Lyman Ave as it was used previously. It is a unique situation because the apartments have been addressed from Lyman for many years. The motion passed with the following vote: Yes - Macklin, Carr, Hornbeck, Obermite, Peterson, Bisbee. No – Peirce, Hamilton.

Bisbee asked for a motion on the Variance from Street Tree Standards.

Motion by Hamilton, seconded by Hornbeck to approve the Variance from Street Tree Standards based on the recommendation of Staff, passed with the following vote: Yes - Macklin, Carr, Hornbeck, Obermite, Peterson, Peirce, Hamilton, Bisbee.

e. **SDP17-000002: Commerce Gardens Preliminary Plat – 1000 Keast St**

Bisbee asked if there were any outside contacts or conflicts of interest; there were none.

Casey Jones, Senior Planner, presented the staff report for the case. This is a two-lot replat consisting of ten acres. Based on the configuration of the newly-constructed apartment buildings, Lot 2 is now vacant and available for commercial development in the future. Jones showed photos and the Preliminary Plat and pointed out the location of utilities. The Preliminary Plat meets the requirements of the subdivision regulations; however, the name and contact information of the applicant and owner of record need to be added. The variances, easement,

private street and 5' wide sidewalk will need to be shown on the plat. The City Council will make the decision on sidewalk installation. Staff recommended approval with three conditions.

1. A subdivision variance application for relief from street tree requirements and street standards has been filed. A revised preliminary plat will need to be submitted no later than 12:00 p.m., March 10, 2017, that indicates the case number, approval date and nature of the variances.
2. The preliminary plat will need to be revised to label Lyman Avenue with the word "Private" beneath it and to include a private street easement.
3. In accordance with the City Engineer's recommendation, the sidewalk along Keast Street shall be extended to 11th Avenue and shall be 5 feet in width.

Bisbee asked for the applicant presentation

Matt Catanese said a sidewalk would be installed if required; however, he would need a year to get a contractor to complete the project. McCarron indicated that it is not unusual for subdivision improvements to go in after the date of subdivision approval.

Bisbee asked if there were any comments from the audience; there were none.

Bisbee asked for a motion on the Preliminary Plat for Commerce Gardens.

Motion by Hamilton, seconded by Macklin to recommend approval of SDP17-000002 for Commerce Gardens Preliminary Plat, based upon a finding that the requirements for subdivision contained in the City of Hutchinson Subdivision Regulations are met and including the above listed staff-recommended conditions. The motion passed with the following vote: Yes - Macklin, Carr, Hornbeck, Obermite, Peterson, Peirce, Hamilton, Bisbee.

f. **SDF17-000003: Commerce Gardens Final Plat – 1000 Keast St**

Bisbee asked if there were any outside contacts or conflicts of interest; there were none.

Jones presented the staff report for the case and showed the final plat from Kaw Valley Engineering with the standard required information. The existing buildings and distances between buildings and property lines are shown. Access control is shown along 11th Ave on Lot 1 for the developed area and on Lot 2 the City Engineer would approve up to two curb cuts. Staff approved with the following standard conditions:

1. A subdivision variance application for relief from street tree requirements and street standards has been filed. If approved, a revised Final Plat will need to be submitted no later than 12:00 p.m., March 10, 2017, that indicates the case number, approval date and nature of the variances.

2. If the private street subdivision variance request is approved, the Final Plat will need to be revised to label Lyman Avenue with the word "Private" beneath it and to include a private street easement and shall be submitted no later than 12:00 p.m., March 10, 2017.
3. Signed and Notarized Mylar. A signed and notarized mylar shall be provided to the City a minimum of 7 days prior to the desired City Council meeting for consideration of the Final Plat.
4. Proof of Paid Taxes and Special Assessments. A signed certification of paid taxes from the Reno County Treasurer shall be provided a minimum of 7 days prior to the desired City Council meeting for consideration of the Final Plat.
5. Check for Recording Fee. A check in the amount of \$29.00 made payable to the "Reno County Register of Deeds" shall be provided a minimum of 7 days prior to the desired City Council meeting for consideration of the Final Plat.

Bisbee asked if there were any comments from the audience; there were none.

Bisbee asked for a motion on the Final Plat for Commerce Gardens.

Motion by Peirce, seconded by Carr to recommend to the City Council approval of the Final Plat SDF17-000003 for Commerce Gardens, based upon a finding that the requirements for subdivisions contained in the City of Hutchinson Subdivision Regulations are met and including the following staff-recommended conditions.

1. **A subdivision variance application for relief from street tree requirements and street standards has been filed. If approved, a revised Final Plat will need to be submitted no later than 12:00 p.m., March 10, 2017, that indicates the case number, approval date and nature of the variances.**
2. **If the private street subdivision variance request is approved, the Final Plat will need to be revised to label Lyman Avenue with the word "Private" beneath it and to include a private street easement and shall be submitted no later than 12:00 p.m., March 10, 2017.**
3. **Signed and Notarized Mylar. A signed and notarized mylar shall be provided to the City a minimum of 7 days prior to the desired City Council meeting for consideration of the Final Plat.**
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5. **Check for Recording Fee. A check in the amount of \$29.00 made payable to the "Reno County Register of Deeds" shall be provided a minimum of 7 days prior to the desired City Council meeting for consideration of the Final Plat.**

The motion passed with the following vote: Yes - Macklin, Carr, Hornbeck, Obermite, Peterson, Peirce, Hamilton, Bisbee.

The City Council will consider this case on March 21, 2017, provided all required conditions are met.

5. **PUBLIC HEARING**

a. **Request for approval of the 2017-2037 Comprehensive Plan**

Jana McCarron, Director of Planning and Development, presented the plan. It covers three main sections: framework, livability and amenities. She gave a powerpoint presentation and reviewed the process from the beginning to end, including 11 meetings in a box, two open houses, and stakeholder meetings. More than 1300 responses to the public survey were received. The Appendix includes goals, strategies and an implementation plan with performance measures to be reviewed every five years. A public hearing notice was placed in the newspaper and the document is on the City website. McCarron reviewed comments received from the public and said Page 180 had a correction made to the return on investment table.

Hamilton asked what implications this had on future development proposals. McCarron responded that future rezone requests would be evaluated for conformance with the Comprehensive Plan Land Use Map. If a request is not in conformance, an amendment would need to be made to the Comprehensive Plan Map along with the rezone request.

McCarron thanked Staff and the Planning Commission for all of their work on the Plan.

Bisbee asked for comments from the audience.

Jackson Swearer, 100 N Main, said he was representing the Young Professionals and they support the spirit and intent of the document. He believes this is a good plan for Hutchinson for the next 20 years and the Young Professionals will do what they can to support the implementation of the Comprehensive Plan.

Hamilton and Carr said the document was very impressive and staff should be commended on the work put into this Comprehensive Plan.

McCarron said the Young Professionals will be a partner with the City and working on the first impression survey. They requested we add them as a partner and modify the timing. In addition, the Airport Manager requested removing the infrastructure strategy referencing establishment of an airport authority because we do not have passenger service.

Staff recommends approval of the Comprehensive Plan with the changes noted in the report and the two changes mentioned at the hearing.

Bisbee closed the hearing and asked for a motion.

Motion by Carr, seconded by Macklin to recommend approval of the 2017-2037 Comprehensive Plan (Designing our Future: Imagine Hutch 2037) to the City Council pursuant to making the changes noted by Staff, the Commission and the Public, passed with the following vote: Yes - Macklin, Peirce, Carr, Hamilton, Hornbeck, Obermite, Peterson, Bisbee.

The City Council will consider the Comprehensive Plan on March 21, 2017.

6. **UPCOMING CASES**

- a. CUP17-000002 Conditional use permit for off-site parking for a miniature golf course.

Jones explained the case submitted by Cliff Shank. The property is located behind the Trade Center, the Days Inn and the Atrium. An 18-hole miniature golf course is planned and the conditional use permit is to allow for off-site parking. Mr. Shank has an easement agreement with the Trade Center for the parking. This case will be heard at the March 21, 2017 Planning Commission meeting.

7. **ADMINISTRATIVE CASES** – none.

8. **OPEN COMMENTS FROM THE AUDIENCE** – none.

9. **COUNCIL ACTION ON CASES** - none.

10. **ADJOURNMENT** – The meeting adjourned at 6:40 p.m.

Respectfully Submitted,
Charlene Mosier, Planning Technician

Approved this 21st day of March, 2017.

Attest: 
Casey A. Jones, AICP, CFM, Senior Planner